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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/117,645 08/03/98 USHIYAMA T 100406

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MM22/0207

EXAMINER

BEN, L

ART UNIT

PAPER NUMBER

2873

DATE MAILED:

02/07/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/117,645

Applicant(s)
USHIYAMA ET AL

Examiner
LOHA BEN

Group Art Unit
2873



☒ Responsive to communication(s) filed on Aug 3, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 1, 4-8, 11-16, and 19 is/are allowed.

☒ Claim(s) 2, 3, 9, 10, 17, 18, and 20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Aug 3, 1998 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

Loha Ben
Primary Examiner

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2873

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2, 3, 9, 10, 17, 18 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2: lines 9 and 10 are not understood in that the phrase "said other ones" on line 9 has no antecedent basis. It appears that "other ones" should be replaced with -- second rectangular prism pair --.

Similarly, in claim 9, line 8, in claim 10, line 13, and in claim 20, line 11, "other ones" should be replaced with -- second rectangular prism pair --, otherwise "said other ones" has no antecedent basis rendering the claims indefinite.

Claims 3, 17 and 18, depending respectively from claim 2, 9 and 10, inherit the indefiniteness thereof.

Allowable Claims

Claims 1, 4- 8, 11-16 and 19 are allowable.

Minor Suggestions

Art Unit: 2873

In the Specification

Page 4: lines 2, 16 and 27, "invention" should be replaced with -- embodiment --.

Page 5: lines 1, 10, 21, 22, 28 and 29, "invention" should be replaced with -- embodiment --.

Page 6: lines 5 and 9, "invention" should be replaced with -- embodiment --.

Page 23: line 25, "transmits" should be replaced with -- reflects --.

In the Claims

In claim 1: line 4, "said of" should be replaced with -- of said --.

In claims 19 and 20: line 2, after "emitting", -- an -- should be inserted.

In the Drawings

Fig. 14 should be labeled -- PRIOR ART --.


In the Abstract

The Abstract should be provided on a single sheet.

Communication

Any inquiry concerning this communication should be directed to Loha Ben at telephone number (703) 308-4820.

February 1, 2000


Loha Ben
Primary Examiner